

House Amendment 1167

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 1, line 2, by inserting before the word
1 3 <RAILWAY> the following: <CONDEMNATION PROCEEDINGS
1 4 AND>.
1 5 #2. Page 2, by inserting after line 13 the
1 6 following:
1 7 <Sec. _____. Section 6B.14, subsection 2, Code 2009,
1 8 is amended to read as follows:
1 9 2. Prior to the meeting of the commission, the
1 10 commission or a commissioner shall not communicate
1 11 with the applicant, property owner, or tenant, or
1 12 their agents, regarding the condemnation proceedings.
1 13 The commissioners shall meet in open session to view
1 14 the property and to receive evidence, ~~but may and~~
1 15 shall deliberate and vote in closed open session.
~~1 16 When deliberating in closed session, the meeting is~~
~~1 17 closed to all persons who are not commissioners except~~
~~1 18 for personnel from the sheriff's office if such~~
~~1 19 personnel is requested by the commission. After~~
1 20 deliberations commence, the commission and each
1 21 commissioner is prohibited from communicating with any
1 22 party to the proceeding unless such communication
1 23 occurs in the presence of or with the consent of the
1 24 property owner and the other parties who appeared
1 25 before the commission or their agents. However, if
~~1 26 the commission is deliberating in closed session, and~~
~~1 27 after deliberations commence the commission requires~~
~~1 28 further information from a party or a witness, the~~
~~1 29 commission shall notify the property owner and the~~
~~1 30 acquiring agency that they are allowed to attend the~~
~~1 31 meeting at which such additional information shall be~~
~~1 32 provided but only for that period of time during which~~
~~1 33 the additional information is being provided. The~~
~~1 34 property owner and the acquiring agency shall be given~~
~~1 35 a reasonable opportunity to attend the meeting. The~~
1 36 commission shall keep minutes of all its meetings
1 37 showing the date, time, and place, the members
1 38 present, and the action taken at each meeting. The
1 39 minutes shall show the results of each vote taken and
1 40 information sufficient to indicate the vote of each
1 41 member present. ~~The vote of each member present shall~~
~~1 42 be made public at the open session. The minutes shall~~
1 43 be public records open to public inspection.>
1 44 #3. Page 5, by inserting after line 14 the
1 45 following:
1 46 <Sec. _____. EFFECTIVE DATE. The section of this
1 47 division of this Act amending section 6B.14, being
1 48 deemed of immediate importance, takes effect upon
1 49 enactment.>
1 50 #4. Title page, line 1, by inserting after the
2 1 word <relating> the following: <to condemnation
2 2 proceedings under eminent domain and>.
2 3 #5. Title page, line 5, by inserting after the
2 4 word <fund> the following: <, and providing an
2 5 effective date>.
2 6 #6. By renumbering as necessary.
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2 10 GRASSLEY of Butler
2 11 HF 561.202 83
2 12 dea/nh/22808